

REMARKS

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claim Rejections under 35 USC § 103

Claims 12, 14, 17-19, 27, 28, 30 and 54-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,517,501 to Jacquet et al in view of U.S. Patent No. 6,157,627 to Olofsson et al. Applicants respectfully traverse these rejections.

Applicants respectfully point to the Examiner that the citation of Olofsson et al. in combination with Jacquet et al. is misplaced for the following reasons.

The Examiner has cited probability $p_i(t)$ as traffic category permission probability and $g(t)$ as the overall permission probability. Applicants respectfully point to the Examiner that first, $p_i(t)$ does not refer to traffic category. Further, according to Jacquet et al. the probability $p_i(t)$ can be increase or decreased according to defined "observations" by means fokr another law or re-updating function $q_i(P_i(t), "o")$ (see col. 9, lines 6-10).

Furthermore, $g(t)$ is actually a random number generated using the operation defined in col. 7, lines 60-66. According to Jacquet et al., "[a] means useful to the implementation of this mechanism is a pseudo-random generator, which will supply as a function of time, a signal representing a random integer which is denoted by $g(t)$." (Col. 7, lines 38-42). Thus, Jacquet et al. compares probability $p_i(t)$ with a random number. In a complete contrast, claim 12 recites determining traffic category permission probabilities; calculating an overall permission probability, PP ; and determining updated traffic category permission probabilities where PP , is a summation of the traffic category permission probabilities assigned to each traffic category. Jacquet et al. does not teach this limitation. Accordingly, claim 12 and those depend therefrom are patentably distinguishable from the combination of cited references.

Claims 54 and 61 have been rejected in the manner of claim 12, accordingly, claims 54 and 61 and those depend therefrom are patentably distinguishable from the combination of cited references for at least the same reasons as claim 12.

Applicant believes this application and the claims herein to be in a condition for allowance. Please charge any additional fees, or credit overpayment to Deposit Account No. 20-0668. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,



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